

PRESIDENT ROBAK: Senator Landis, to answer a question.

SENATOR LANDIS: Senator Lindsay, at the time in which I close on the amendment, I'll try, to my best, to refer to questions which I think are appropriate. On the other hand, the clock is running, the time is yours.

SENATOR LINDSAY: Thank you. The...again, repeating what this particular amendment does, that is the question of craft brewery licenses, do we want to change that language? And obviously what I'm doing, I'll make it very clear what I'm doing on some of these is creating that record that if there is a constitutional challenge to the three-tier system, based on this change, I want to make clear that there is a legislative record which can be used to show what our intent is. And that intent...and if there's any contrary intent, I'd be interested in hearing it. But clearly that intent is to blur that distinction between tier number one and tier number three. I also have that concern that at some point we'll see the blurring of distinction between tiers two and tiers three, or tiers one and two and ultimately between tiers one, two, and three. There is a...I find it somewhat similar, I guess, to the characterization of...that's been said about I guess constitutional rights which are never just taken. Nobody comes in and just changes constitutional rights, they're eroded over a period of time. And that is what's occurring here. If we look at what the three-tier system is now versus where it was four, five, six, seven, or eight years ago, before we got into brewpubs, it was a much clearer distinction. And that is then the basis where if we have a regional brewer who comes in and wants to, under a manufacturer's license, not under a brewpub license but under a manufacturer's license, wants to come in and sell at retail at their location. There is...there is no distinction between the brewpubs at that point and the manufacturer with, as I can tell it, with the exception of a limitation after this amendment...after the Landis amendment, 4434, is adopted, other than the limitation on the amount of barrels that can be sold. That is something then I think that can be utilized to say if there is no rational relationship, if there is no reason that we could point to as far as why the two of these...we've done this except because it happens to have worked out well, or because of...I mean there is some limitation on the old adage around here that you can do anything with